UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.679
30 January 2001

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-sixth session

SUMMARY RECORD OF THE 679th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 15 January 2001, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Egypt

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.01-40216 (EXT)

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Egypt (CRC/C/65/Add.9; HRI/CORE/1/Add.19; CRC/C/Q/EGY/2; CRC/C/A/EGY/2; written replies to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, Ms. Khattab, Mr. Gabr, Mr. El-Guindi, Ms. Badran and Ms. Rakka (Egypt) took places at the Committee table.

2. Ms. KHATTAB (Egypt) said that significant progress in terms both of quantity and of quality had been made since the submission of Egypt's initial report. Early in January, Egypt had submitted to the United Nations Secretary-General in preparation for the special session of the General Assembly to be held in September 2001, a report on the follow-up to the World Summit for Children. Non-governmental organizations (NGOs) and civil society had been involved in drawing up the report, which gave a methodical, objective analysis of the situation of children's rights in Egypt and supplemented the information provided in the second periodic report.

3. Egypt's current preparations for the special session of the General Assembly included the organization of a high-level regional preparatory conference for Arab States, to be held in Cairo in April 2001 under the auspices of the Arab League, and a meeting of the Organization of African Unity concerning African children in armed conflicts, which would take place in May 2001, also in Cairo. The objectives of the May meeting would include encouraging African States that had not already done so to sign and ratify the African Charter on the Rights and Welfare of the Child and elaborating a common agenda for African States to take to the special session of the General Assembly.

4. The results of the First Decade for the Protection and Development of the Egyptian Child, which had ended in 1999, had been assessed with the participation of children themselves. In proclaiming the second such decade (2000-2010), the President of Egypt had inter alia advocated improving legislation regarding children and stepping up child-related activities with regard to health, education and culture.

5. The activities of the National Council for Childhood and Motherhood (NCCM) since its establishment in 1988 had led to significant progress with regard to legislation, education, health and culture. The NCCM had recently set up a technical advisory committee with responsibility for policy development. At its first meeting, in February 2000, that body had defined a series of priority issues, including juvenile offenders, child labour, disabled children and assistance for disadvantaged mothers and children. It had established sub-committees to study them and to propose specific measures.

6. The NCCM sought in all its activities to strengthen collaboration with civil society and NGOs. Thus, six of the 20 members of its technical advisory committee were NGO representatives and, following a workshop on NGO partnerships, it had set up an office for NGO relations. NGOs were involved in carrying out various pilot schemes designed to combat

poverty and its damaging effects on children's welfare and to promote children's development in both rural and urban areas. There was also an extensive training programme for persons working with disabled children.

7. In response to concerns expressed by the Committee, the NCCM had held consultations with lawyers and religious leaders regarding Egypt's reservations to articles 20 and 21 of the Convention. As Sharia contained a number of rules to ensure, through the kafalah system, the protection of children deprived of a family environment, the general opinion was that Egypt's reservations were not inconsistent with the objectives of the Convention. Withdrawing them would pose not only cultural and social difficulties, but also numerous legal and constitutional problems. Nevertheless, the NCCM intended to pursue its consultations and would keep the Committee informed of the results.

8. Many steps had been taken to spread information and raise awareness. The NCCM, in collaboration with the Ministry of Information, had managed to strengthen and improve the role of the media in public awareness campaigns concerning the objectives and provisions of the Convention. NGOs also played an essential role in that regard. The writing of the report submitted to the Secretary-General in preparation for the special session had also helped to raise awareness of the World Summit and the Convention. The Arabic version of the report would be made available throughout the country.

9. The Children's Code, adopted in 1996, prohibited all forms of discrimination between Egyptian children and stipulated that all decisions and procedures concerning children must give priority to the protection and best interests of the child. Nevertheless, application of the principle of non-discrimination was still impeded by certain groups' lack of awareness and special efforts were needed to improve the situation, for instance to promote the rights of young girls. With that in mind, the NCCM had taken various awareness-raising measures aimed at staff in government ministries, the media and local government. Several workshops would be held in Upper Egypt, including one on the specific needs and another on the education of young girls. Similar workshops would be held throughout the country on the initiative of the new NCCM unit for women and development. In order to eliminate all forms of discrimination between boys and girls, the Government intended to take women 's and young girls' needs into account in all aspects of the five-year plan. In that regard, National Council for Women's Affairs had been created in March 2000, and a Ministry of Youth had recently been set up to replace the Higher Council for Youth and Sports.

10. Considerable progress had been made in the area of health. Vaccination coverage had increased throughout the 1990s,to the point where some 93 per cent of two-year-olds had received all the necessary vaccinations. Programmes to eliminate polio and combat acute respiratory ailments and diarrhoeal and other diseases had led to a considerable improvement in children's health and a fall in infant and maternal mortality rates. Female genital mutilation remained an important concern. The Ministry of Health and Population had devised a strategy for eliminating the practice and a decree had been issued to that end. There again, awareness-raising activities played a crucial role.

11. Boosting school enrolment and combating illiteracy remained priorities for the Government which had in 1990, introduced a national educational reform programme providing

for inter alia an increase in expenditure on education, a review of school curriculums, the building of many new schools and the introduction of information and communication technologies into schools. As a result of the steps taken, enrolment ratios had increased and the discrepancy between boys and girls had become less marked at the primary level. New community-oriented forms of education, emphasizing child participation and active learning, had yielded impressive results in remote, disadvantaged, rural areas. Recently, efforts had focused on the education of pre-school-aged children; the Government's objective was to reach an enrolment ratio of 60 per cent by 2010. In addition the NCCM was in the process of establishing a special unit for girls' education that would work closely with a counterpart body to be created by United Nations organs having representatives in Egypt. The importance attached to leisure and cultural activities was proclaimed in the Constitution and various laws, and reflected in practice in numerous child-oriented programmes and activities, such as the "Reading for All" campaign or the setting up of libraries and clubs.

12. It was a long-term aim of the Egyptian authorities to abolish child labour, a problem closely linked to poverty and illiteracy. The NCCM had started a pilot scheme to improve the quality of life of children at work by giving them access to educational, health and cultural services, and a survey was to be made to collect accurate data on child labour. The Government had recently signed an agreement with ILO on the launch of a national public-awareness campaign concerning the negative impact of child labour and an inter-ministerial committee had been appointed to co-ordinate efforts to combat the phenomenon. Statutory provisions fully consistent with the relevant international standards had been adopted to protect children at work, particularly against health hazards. Egypt had ratified ILO Conventions 138 and 182 and played an active role in the elaboration of the draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

13. Mr. RABAH said that, even if there seemed to be no mechanism for co-ordinating the activities of the ministries dealing with issues connected with children's rights and of the NCCM, Egypt had made real progress in implementing the Convention, particularly with regard to education, culture, health and the situation of children in rural communities.

14. He asked whether the authorities were considering the withdrawal of Egypt's reservations with regard to articles 20 and 21 of the Convention, in view of the fact that, pursuant to article 20, paragraph 3, the special protection afforded to a child deprived of his or her family environment could include *kafalah* of Islamic law?

15. It appeared from the report that the Ministry for Local Authorities had received only 71 million Egyptian pounds for projects concerning childhood and motherhood under the fourth five-year plan. That was relatively little in comparison to, for example, the allocations for the same activities to the Ministry of Social Affairs and the Higher Council for Youth and Sports. He would like to know why the budget had been divided in that way.

16. The information on child labour given in the report did not seem to reflect the true extent of the problem, and there was no reference at all to the problems of street children and discrimination on grounds of sex. Nor was there any evidence that the child's best interests were taken sufficiently into account, for instance in legal proceedings. It was unfortunate that the age of criminal responsibility was as low as seven years, which the Committee considered to be too

young. Were there any plans to alter that situation? Was it the case that children born to an Egyptian mother and a foreign father were not entitled to Egyptian citizenship?

17. Mr. FULCI expressed appreciation of Egypt's second periodic report, which added usefully to the information in the initial report and was consistent with the Committee's guidelines. Nevertheless, there could have been more frankness with regard to the situation of disabled children, children in rural communities and young girls, who still suffered from discriminatory treatment. He would be interested to learn whether the Egyptian authorities intended to develop a national action plan for the promotion and protection of children's rights.

18. How accurate were allegations that the dissemination of the Convention had been carried out largely by NGOs having insufficient financial resources, and that there had been no public discussion of the conclusions adopted by the Committee after its consideration of Egypt's initial report? He hoped that in future the Government would involve the media more actively in the dissemination of the Convention to all citizens.

19. Ms. KARP welcomed the fact that, as a result of talks between lawyers and religious leaders, married women had recently been granted the right to travel without their husbands' permission. It would be good if, in addition, children born to an Egyptian mother and a foreign father were granted Egyptian citizenship. She was disappointed that the report contained no mention of the importance of a child's self-image or of the need for a child to be in control of his or her own life.

20. She enquired whether the Ministry of Finance was represented on the NCCM, and what links there were between NCCM and the recently-established Council for Women's Affairs. Had anyone invoked the provisions of the Convention before a court of law? Were the authorities intending to analyse children's complaints to the NCCM with a view to making improvements to the relevant policies?

21. According to some sources, about 30 per cent of girls who lived in rural communities were married before the age of 14. The legal age for marriage, however, was 18. What plans were there to ensure that the law was respected?

22. As children could not give evidence in criminal proceedings before the age of 14, she failed to understand how the courts could take the child's opinion into account in cases of family violence or incest. What had been the results of the government survey into the expectations of children in the country's various regions, and what lessons had been drawn from them? What stage had been reached in the talks about creating an independent monitoring mechanism such as an ombudsman? Did Egypt require any technical assistance in that regard?

23. Ms. MOKHUANE asked whether the concepts of childhood and children as they were meant in the Convention had been the subject of a general discussion within the population, and whether the NCCM was independent of the Government. Egypt's ratification of ILO Convention No. 182 was commendable, but how far could that instrument be implemented, given that child labour remained a serious problem in the country? How was childhood development, in particular the development of disabled children, taken into consideration in drawing up

government programmes? What national strategies had Egypt adopted for the implementation of the Convention in fields such as education and health?

24. Ms. TIGERSTEDT-TÄHTELÄ requested information about the number and type of complaints registered so far with the NCCM. Were such complaints filed by the children themselves, and in serious cases were they forwarded to the Prosecutor? Was it possible to appeal? As the NCCM was also responsible for the monitoring and coordination of the Convention's implementation, its mandate was quite extensive. The objectivity of a body assigned the task of evaluating the effects of its own measures could be called into question. Did the State party therefore plan to establish an independent body with the sole mandate of monitoring implementation? Turning to the subject of NGOs, she asked the delegation to clarify whether it was necessary to be 21 years old to establish or join such organizations, and why it had been deemed necessary to adopt a new law on NGOs even before the first one had come into force.

25. Mr. DOEK noted with satisfaction that most budget appropriations in the social sphere had risen, and asked whether the increases had outstripped inflation. As paragraphs 46 and 73 of the report provided contradictory information, could the delegation indicate whether the age of majority was 18 or 21?

26. Concern had been expressed from some quarters about two forms of discrimination: on the one hand, the image of girls and women projected in the media and at school was not egalitarian; on the other hand, street children and child workers, already deprived of the right to education, were also deprived of the right to health care, as such care was ensured only for schoolchildren. He would like to know what steps the State party took specifically to combat such discrimination. He would also like to know what criteria were applied in order to determine whether a child had the right to be heard in judicial proceedings.

27. Ms. RILANTONO regretted that the report lacked a self-critical approach. Perhaps that reflected a lack of consultation with civil society when the report was drawn up. More information should be provided on the NCCM: what exactly was its composition, which NGOs were represented on it, and had any mechanisms been put in place to ensure the coordination of programmes at the regional level?

28. Did the NCCM uphold the holistic view of the Convention? It would be of interest to find out more about the contents of that body's national plan of action and the objectives which had been set for the second Decade for the Protection and Development of the Egyptian Child.

29. Did the law on NGOs provide for measures such as tax exemptions to facilitate the organizations' activities? As it appeared from a study carried out in 1999 that many children worked eight hours a day without lunch breaks in cotton production enterprises, she wondered what was done in practice to inspect and monitor children's working conditions, especially at private enterprises?

The meeting was suspended at 11.50 a.m. and resumed at noon.

30. Ms. KHATTAB (Egypt) explained that the NCCM was chaired by the Prime Minister, and that it included representatives of seven Government ministries whose work was directly related to children. That number should increase in the near future, with the addition of the Ministry of State for Environmental Affairs and the Ministry of Communications and Information Technology. The NCCM's policy-formulating body was the Technical Advisory Committee, which was composed of experts and was chaired by the country's First Lady. Representatives of NGOs and civil society could attend that body's deliberations. The National Commission for Women, which was also chaired by the First Lady, had become an independent body with 30 members and was entrusted with the promotion and empowerment of women. By virtue of their composition those bodies were interdisciplinary, and thus upheld a holistic view of the Convention.

31. The appraisal of the first Decade for the Protection and Development of the Egyptian Child, carried out in 1999, had demonstrated that new initiatives were required because certain problems such as the persistence of female genital mutilation could not be solved in just one decade. The period from 2000 to 2010 had therefore been proclaimed as the second Decade for the Protection and Development of the Egyptian Child.

32. While questioning the source of the information cited by Ms. Karp according to which 30 per cent of girls married before the age of 14, she recognized that early marriage was a problem, albeit one that was abating appreciably. The solution lay in enrolment in education, as it had been established that the more girls were educated, the later they tended to marry.

33. The NCCM was responsible for receiving children's complaints, and in practice played the role of an ombudsman. Egypt had consulted the United Nations Children's Fund (UNICEF) and various countries, including Sweden, on the best ways to implement the idea of an ombudsman's office while moving forward gradually so as not to provoke popular resistance.

34. Initiatives for the rights of the child were also taken at the local level. The NCCM, various NGOs and several ministries had representatives in each governorate.

35. The Government had increased the education budget three times, but much remained to be done in the field of social development, as resources were limited - especially since the structural adjustment programme weighed heavily on investment capacity. Over and above the implementation strategies for the Convention drawn up in 1992 and 1999, Egypt also had a national strategy for children with special needs under which the Ministry of Health and the Ministry of Education had each taken numerous actions.

36. Women were well represented in State decision-making bodies. It was above all in poor and under-educated circles that discrimination against women was encountered, which was why the NCCM had established a gender and development unit. It was also on such disadvantaged circles that efforts to raise awareness of the Convention must be focused.

37. Several Committee members had mentioned the lack of self-criticism in the report. In December 2000, Egypt had sent the Secretary-General a document supplementing the second periodic report from a more self-critical point of view. Concerning the maintenance of reservations to the Convention, the Government had called for opinions and was continuing to

work on that question. Hopefully, rapid progress would be made in that regard. The Committee would be informed of any developments.

38. Ms. BADRAN (Egypt) said that in Egyptian culture the child was considered as the property of the family, but that the Government was aware of the need to bring about a change in values and had assigned to the various ministries concerned the task of raising popular awareness of the Convention's provisions. To that end, the Ministry of Culture published books for children and organized discussions that, as children's awareness of their rights presupposed a change of attitude in society as a whole were open to both children and parents. Moreover, the Government had adopted a participatory strategy which had led to the creation of children's parliaments, in which children met Government ministers and could express their concerns. The Ministry of Education had for its part established discussion groups at educational establishments to give pupils the opportunity to discuss their problems. So as to avoid excluding the rural population from that strategy, the Ministry of Culture employed caravans which went from village to village to raise public awareness, in particular through songs and plays.

39. In response to globalization, the Ministry of Culture had thought about the values which needed to be inculcated in coming generations and had concluded that children should be imbued with the wealth of Egyptian culture while remaining open to outside influences and aware of the importance of human rights. Over the past 10 years attitudes had changed among children, parents and the authorities. While it would be wrong to say that every problem had been resolved there was reason to be satisfied with the results so far achieved.

40. Mr. GABR (Egypt) underscored the important role played by NGOs and their substantial representation in the various social bodies: there were four NGO representatives on the NCCM and six on its Technical Advisory Committee. The Egyptian Red Crescent carried out awareness programmes for mothers and worked to empower women, in particular by making available legal advisers. NGOs also had developed programmes broadcast on a media channel which was reserved for children and family programming.

41. The tabular budgetary information in the documents distributed to the Committee did not accurately reflect the allocation of resources to local administrations, especially in respect of health.

42. On the subject of health, Egypt had achieved all the objectives set by the World Summit for Children with regard to the reduction of infant mortality and morbidity, vaccination coverage and the campaign against malnutrition. The targets for stunting and weight loss had not yet been met, as that would require much more time, but there were no more cases of acute malnutrition in Egypt. The Government had made vaccination against rubella and mumps compulsory, although they were not among the list of mandatory vaccinations drawn up by the international health authorities. Under a new decree, all newborns and young children had to be covered by health insurance offered at an advantageous rate until they reached school age, at which point they were automatically covered by the mandatory health insurance system for private and public schools.

43. Egypt had established an extensive programme of care for the disabled. It included, inter alia, the systematic screening of children for cretinism, a disorder attributable to iodine

deficiency, in which regard, the country had banned the production of non-iodized table salt and 80 per cent of the population already had access to its iodized counterpart. The programme also provided for maternal care during labour as numerous mental and physical handicaps resulted from foetal distress.

44. In 1996 a decree had been adopted banning female genital mutilation throughout the national territory, and there had been a reduction of 20 per cent in excisions since that time. There was no discrimination against girls with regard to health. In 2000, mortality rates for children under five years of age had been the same for both genders. Arrangements had been made by the Ministry of Health, with the support of the United States Agency for International Development, to carry out an overall evaluation of the health status of Egyptian women and children every five years.

45. Mr. EL-GUINDI (Egypt) said that Egypt's reservations concerning the articles on adoption did not concern the principle of adoption, which had an Islamic law equivalent in kafalah, but resulted from the prohibition in Sharia against giving children names which were not their own. Since international conventions ratified by Egypt took precedence over domestic law, the country had been obliged to enter the reservations so that the Convention would not be at variance with the domestic law, in particular articles 1 and 2 of the Constitution.

46. Egypt had established the national structures required for the implementation of the Convention, including an NCCM working group responsible for bringing national law into line with its provisions. Since the adoption of Act No. 12 of 1996, all the articles of the Convention had been transposed into domestic law.

47. The age of criminal responsibility was seven, as in 70 per cent of the countries of the world. The fact that children of seven could be considered criminally responsible did not, however, mean that they could be sentenced to deprivation of liberty; they could be placed under judicial supervision or institutionalized. It was only from the age of 15 onwards that minors could receive penal sentences. The age of civil majority was 21. Children were able to testify in court regardless of their age. However, they were only allowed to take an oath once they were 14, under that age their testimony would be recorded, but it was for the judge to decide on its validity.

48. Egyptian law provided for the protection of vulnerable children, meaning any child whose education, life, physical, mental or financial safety or health was at risk, or any child who was involved in gambling, the consumption of alcohol or drugs, who took part in violent acts or who engaged in begging. Such children were cared for by social workers or psychologists. In the event of problems within the immediate family, the child was placed with close relatives or in an institution providing substitute care.

49. While child labour was an unavoidable reality, in particular owing to poverty, the Labour Code nonetheless provided some minimal protection for children: reduced working hours, leave, prohibition of night work, prohibition of unhealthy working conditions, employer-funded health insurance and a ban on leaving school before finishing compulsory education. A committee comprising numerous experts, specialists and NGOs had been set up within the NCCM Technical Advisory Committee to combat the problem of child labour and the phenomenon of

street children, which had the same root causes. Both issues were also the subject of coordination between the various committees, organizations and NGOs concerned.

50. A new law had been adopted to facilitate access to justice by women and girls, and it had recently been made possible for women to sue for divorce at their own initiative.

51. The Act on NGOs had been found to be unconstitutional not because of its content, but because it had not been submitted to the Senate. A new bill had been drafted and was expected to be adopted in the near future. The new text prohibited the Government from rejecting the creation of an NGO unless its activities were illegal under Egyptian law. It also granted NGOs tax and customs exemptions, the sole restriction being that they would have to request authorization from the Government to receive foreign funding.

The meeting rose at 1 p.m.